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9
   Designated Representatives of the Sempra Settlement
10 *and Counsel for Class Plaintiffs*

11   SUPERIOR COURT OF THE STATE OF CALIFORNIA

12   COUNTY OF SAN DIEGO

13   (UNLIMITED JURISDICTION)

14

15 Coordination Proceeding Special Title (Rule 1550(b)):   J.C.C.P. Nos. 4221, 4224, 4226 & 4228

16 NATURAL GAS ANTI-TRUST CASES   The Honorable Ronald S. Prager
   I, II, III & IV   Coordination Trial Judge
17

18 This Document Relates to: [PROPOSED] ORDER GRANTING
                                                             PLAINTIFFS' *EX PARTE*
19 All Class Action Cases   APPLICATION FOR ORDER
                                                             AUTHORIZING DISTRIBUTION
20   OF SEMPRA SETTLEMENT
                                                             PROCEEDS TO NON-CORE
21   CLAIMANTS

22   Date: January 26, 2010
                                                             Time: 8:15 a.m.
23   Dept.:   71

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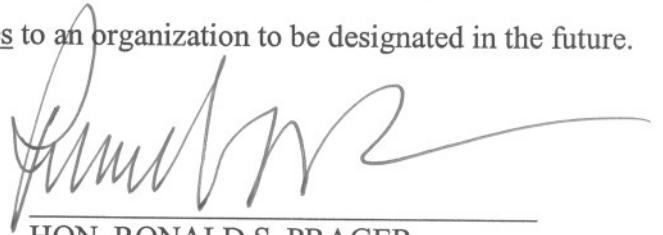ORDER AUTHORIZING DISTRIBUTION TO NON-CORE CLAIMANTS

1   Sempra Class Plaintiffs' *ex parte* application for an order authorizing distribution of the

2   proceeds of the settlement entered into with the Sempra Defendants (the "Sempra Settlement") to

3   the members of the Non-Core Natural Gas Subclass (the "Subclass") came on for hearing on

4   January 26, 2010. Based on the *ex parte* application, the accompanying memorandum of points

5   and authorities, the accompanying Declaration of Settlement Administrator Aaron Waugh

6   Regarding Non-Core Claims, and the accompanying Declaration of Brad N. Baker, good cause

7   appearing, the Court grants the application, and rules as follows:

8   1.   A make-up payment to Aluminum Precision Products in the sum of $15,244.69

9   shall be made by the Settlement Administrator.

10   2.   The sum of $407,842.77 in unclaimed Subclass member funds in connection with

11   the First Sempra Distribution shall be preserved until further attempts have been

12   made to locate the claimants for re-delivery. Any claimants not located within 150

13   days from the mailing of the Second Distribution, shall have its proceeds added to

14   the monies held by the Special Administrator and distributed forthwith to the

15   claimants who cashed their Second Distribution checks ("Ascertained Claimants").

16   3.   Administrative expenses not to exceed $30,000, shall be set aside to pay the

17   Settlement Administrator EPIQ's fees and expenses as incurred. Any funds not so

18   expended shall be distributed under the doctrine of cy pres to an organization to be

19   designated in the future.

20   4.   The sum of $25,000 shall be set aside to pay the Natural Gas Settlement Fund's

21   anticipated expenses which include the payment of Recon Research in the sum of

22         $2,750, tax preparation fees not to exceed $7,500, and state and federal income

23   taxes not to exceed $14,750. Any sums not so expended shall be distributed under

24   the doctrine of cy pres to an organization to be designated in the future.

25   5.   The Settlement Administrator shall issue checks to members of the Non-Core

26   Natural Gas Subclass who filed valid claims as set forth in Exhibit 1 to the

27   Declaration of Settlement Administrator Regarding Non-Core Claims. The

28   Settlement Administrator is directed and authorized to undertake reasonable

- 1 -

distributed to the Sempra Ascertainable Claimants.

7.   Any sums left unclaimed 90 days after the Third Distribution shall be distributed under the doctrine of <u>cy</u> <u>pres</u> to an organization to be designated in the future.

Dated: JAN 2 6 2010   , 2010

HON. RONALD S. PRAGER
Coordination Trial Judge

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